

Message Text

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ACTION SS-25

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S E C R E T MOSCOW 14877

EXDIS

E.O. 11652: XGDS-3
TAGS: PARM,UR,UR
SUBJECT: TTBT/PNE NEGOTIATIONS: MEETING WITH SOVIET LEGAL EXPERT
TTBT/PNE DELEGATION
MESSAGE NO. 55

1. SUMMARY. SOVIET LAWYER (ALEXEI LAPTEV OF MFA LEGAL
DIVISION) PROVIDED REVISED DRAFT SOVIET PROTOCOL ARTICLE VII
OCTOBER 17. HE SAID IT "NOT BIBLE", NOTING USSR AIM WAS
"BEST TEXT", AND HOPED US WOULD REVIEW AND PROVIDE NEW

DRAFT. PARA 1 OF SOVIET REVISION DRAWS ON UN CONVENTION ON
SPECIAL MISSIONS AND VIENNA CONVENTION OF DIPLOMATIC RELA-
TIONS. ONLY COMMENT BY LAPTEV ON CORRESPONDING US ARTICLE XIII
WAS TO QUESTION NEED FOR PHRASE "AGAINST ANY AND ALL ACTIONS"
IN PARA 2. SOVIETS FIND THIS, PARTICULARLY "ALL", FAR TOO
BROAD. END SUMMARY.

2. AT 10:00 AM OCTOBER 17, BUCHHEIM AND MARIN MET WITH
KONASHKOV AND SOVIET LEGAL EXPERT ALEXEI LAPTEV, LEGAL AND
TREATY DEPARTMENT MFA, IN ACCORDANCE WITH UNDERSTANDING
REPORTED MOSCOW 14771 PARA 4.

3. LAPTEV ADDRESSED SOVIET PROTOCOL ARTICLE VII ONLY.
AND SAID HE WAS NOT IN POSITION TO ADDRESS OTHER ARTICLES
WHEN ASKED TO COMMENT ON SOVIET ARTICLES V AND VI.

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4. LAPTEV HANDED OVER RUSSIAN TEXT OF REVISED

ARTICLE VII, SAID IT IS NOT "BIBLE", AND SOUGHT US DRAFT
ITSRESPONSE.

5. LAPTEV SAID SOVIET DRAFT DREW UPON LANGUAGE (ESSENTIALLY VERBATIM) IN VIENNA CONVENTION OF DIPLOMATIC RELATIONS AND UN CONVENTION ON SPECIAL MISSIONS, PARTICULARLY ARTICLE 22 PARA 1 OF FORMER AND ARTICLE 31 PARAS C. AND D. OF LATTER.

6. WHEN ASKED ABOUT CORRESPONDENCE BETWEEN SOVIET PROTOCOL ARTICLE VII PARA 2 AND US PROTOCOL I ARTICLE XIII PARA 2, LAPTEV SAID:

(A) AS REGARDS LIABILITIES ARISING OUT OF CONDUCT OF EXPLOSION, SOVIET WORDING IS DIFFERENT FROM THAT IN US TEXT BUT MEANING IS SAME.
(B) AS TO LIABILITIES NOT ARISING OUT OF CONDUCT OF EXPLOSION, SOVIET SIDE CONCERNED ABOUT PHRASE "ANY AND ALL ACTIONS". WONDERED ABOUHANDLING OF, E.G., AUTOMOBILE ACCIDENT IN MOSCOW, AND WHETHER THIS WOULD COVER EVERYTHING THAT MIGHT HAPPEN OVER A PERSON'S ENTIRE LIFE.

STOESSEL

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